

IN RE APPLICATION: James A. RUSSELL, et al.

GROUP ART UNIT: Unassigned

SERIAL NUMBER: TBA

EXAMINER: Unassigned

FILED: August 31, 2006

FOR: TOLL-LIKE RECEPTOR 2 (TLR-2) HAPLOTYPES PREDICT OUTCOME OF PATIENTS

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant(s) wish to disclose the following information.

REFERENCES

- The Applicant(s) wish to make of record the references listed on the attached PTO/ SB/08. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check is attached in the amount required under 37 CFR § 1.17(p).

RELATED CASES

- Attached is a list of applicant's pending applications or issued patents which may be related to the present application. A copy of the patent(s) is attached along with PTO/ SB/08.
- A check is attached in the amount required under 37 CFR § 1.17(p).

CERTIFICATION

The undersigned certifies that

- each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

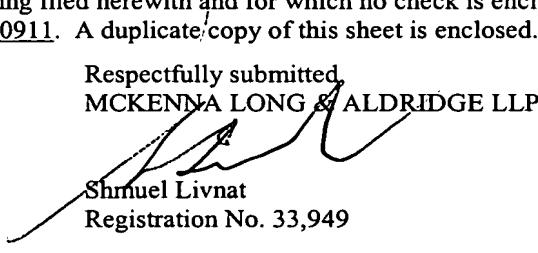
PETITION

- Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee required under 37 CFR § 1.17(i)(1).

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account No. 50-0911. A duplicate copy of this sheet is enclosed.

Respectfully submitted  
MCKENNA LONG & ALDRIDGE LLP

  
Shmuel Livnat  
Registration No. 33,949

1900 K Street, N.W.  
Washington, D.C. 20006  
Telephone No: (202) 496-7500

Date: August 31, 2005

10/591224  
IAP9 Rec'd PCT/PTO 31 AUG 2006

PTO/SB/08a/b (05-03)

Approved for use through 05/31/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|                              |   |    |   |                          |                          |
|------------------------------|---|----|---|--------------------------|--------------------------|
| Substitute for form 1449/PTO |   |    |   | <i>Complete if Known</i> |                          |
|                              |   |    |   | Application Number       | TBA                      |
|                              |   |    |   | Filing Date              | August 31, 2006          |
|                              |   |    |   | First Named Inventor     | James A. RUSSELL, et al. |
|                              |   |    |   | Art Unit                 | TBA                      |
|                              |   |    |   | Examiner Name            | TBA                      |
| Sheet                        | 1 | of | 1 | Attorney Docket Number   | 28903.0004               |

| <b>U.S. PATENT DOCUMENTS</b> |                       |  |                  |   |   |
|------------------------------|-----------------------|--|------------------|---|---|
| Examiner Initials*           | Cite No. <sup>1</sup> | Document Number                          | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                              |                       | Number-Kind Code <sup>2</sup> (if known) | MM-DD-YYYY       |   |   |
| AA                           |                       |  |                  |   |   |

| <b>FOREIGN PATENT DOCUMENTS</b> |                       |   |                  |   |   |
|---------------------------------|-----------------------|---|------------------|---|---|
| Examiner Initials*              | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                                 |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) | MM-DD-YYYY       |   |   |
| BA                              |                       | EP 0620225A1  | 10-19-1994       |   |   |
|                                 |                       |   |                  |   |   |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

| <b>NON PATENT LITERATURE DOCUMENTS</b> |                       |   |  |  |  |
|--|-----------------------|---|--|--|--|
| Examiner Initials                      | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |  |
|  | CA                    | Waltraud Eder, MD, et al., "Toll-like Receptor 2 as a Major Gene for Asthma in Children of European Farmers," Journal of Allergy and Clinical Immunology, March 2004, Vol. 113, No. 3, pages 482-488  |  |  |  |
| CB                                     |                       | Eva LORENZ, et al., "A Novel Polymorphism in the Toll-Like Receptor 2 Gene and its Potential Association with Staphylococcal Infection," Infection and Immunity, November 2000, Vol. 68, No. 11, pages 6398-6401  |  |  |  |
| CC                                     |                       | Lutz HAMANN, et al., "Rapid and Inexpensive Real-Time PCR for Genotyping Functional Polymorphisms within the Toll-like Receptor -2, -4, and -9 Genes," Journal of Immunological Methods, February 2004, Vol. 285, No. 2, pages 281-291                          |  |  |  |
|  |                       | Cheryl L. HOLMES, M.D., et al., "Genetic Polymorphisms in Sepsis and Septic Shock," CHEST, September 2003, Vol. 124, No. 3, pages 1103-1115   |  |  |  |
|  |                       |   |  |  |  |
|  |                       |   |  |  |  |
|  |                       |   |  |  |  |
|  |                       |   |  |  |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|